

Bankr. S.D.N.Y.-N.Y.C.
08-1789
Lifland, Bankr. J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 22nd day of January, two thousand fourteen.

Present: Reena Raggi,
Circuit Judge,^{*}
Edward R. Korman,
District Judge.^{**}

In Re: Bernard L. Madoff,

Debtor.

13-4106

Petitioners, claimants of Bernard L. Madoff Investment Securities, LLC (“BLMIS”), the Securities Investor Protection Corporation (“SIPC”), and the Trustee for the substantively consolidated proceedings of BLMIS, through counsel, jointly petition this Court for permission to take a direct appeal of the bankruptcy court’s September 10, 2013 order denying claimants time-based damages. Upon due consideration, it is hereby ORDERED that the petition is GRANTED because Petitioners have satisfied the criteria set forth in 28 U.S.C. § 158(d)(2)(A); *see also Weber v. United States Trustee*, 484 F.3d 154, 157 (2d Cir. 2007).

The Clerk’s Office is directed to issue the following briefing schedule agreed upon by the parties. The claimants’ briefs will be due six weeks after the ready date, as defined in Second Circuit Local

^{*} The Honorable Amalya L. Kearse, originally a member of this panel, recused herself from this case. The remaining two panel members, who are in agreement, decide this motion pursuant to Second Circuit Internal Operating Procedure E(b).

^{**} The Honorable Edward R. Korman, of the United States District Court for the Eastern District of New York, sitting by designation.

Rule 31.2(a)(1)(A); the Trustee's and SIPC's briefs will be due six weeks thereafter; and the reply briefs will be due three weeks after that.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court




A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit


